

EXHIBIT D

response to the Petitioner's subpoenas as modified by the Court on January 26, 2022 [ECF 34] (the "§ 1782 Subpoenas"); and

IT IS HEREBY STIPULATED AND SO ORDERED, pursuant to 28 U.S.C. § 1782 and Rule 26(c) of the Federal Rules of Civil Procedure that:

1. All documents and information produced by the Subpoenaed Banks in response to the § 1782 Subpoenas shall not be used by any person for any purpose other than proving or rebutting any issue raised in the Lebanon Proceedings.

2. The Subpoenaed Information may be disclosed only to:

(a) Petitioner and Bank Audi, the parties to the Lebanon Proceedings;

(b) counsel for Petitioner and Bank Audi in this proceeding ("U.S. Counsel"), subject to compliance with Paragraph 3 of this Protective Order;

(c) ~~counsel for Petitioner and Bank Audi who are engaged in representing those parties in the Lebanon Proceedings, ("Lebanon Counsel"), including the paralegal, technical, secretarial and clerical personnel who are actually engaged in assisting such Lebanon Counsel, subject to compliance with Paragraph 3 of this Protective Order;~~

(d) the courts presiding over the Lebanon Proceedings and over any related appellate, court of cassation and/or enforcement proceedings, ~~(the "Lebanon Related Proceedings")~~, including ~~the~~their clerical personnel ~~chosen by the courts to work on Lebanon Proceedings~~ (the "Lebanon Courts"), subject to compliance with Paragraph 4 of this Protective Order;

~~(e)~~(e) persons providing photocopying, document storage, data processing, or litigation support who are employed by U.S. Counsel or Lebanon Counsel to assist in this proceeding or the Lebanon Proceeding, subject to compliance with Paragraph 3 of this

Protective Order;

(f) experts retained by Lebanon Counsel for purposes of consulting or testifying in the Lebanon Proceedings, subject to compliance with Paragraph 3 of this Protective Order; and

(fg) other persons only with the prior written agreement of Bank Audi and the Subpoenaed Bank that produced the Subpoenaed Information, subject to compliance with Paragraph 3 of this Protective Order.

3. ~~The following procedures shall apply to the~~Unless otherwise ordered by this Court or one of the Lebanon Courts, prior to disclosure of Subpoenaed Information to a person authorized under paragraphs 2(b), 2(c), 2(e), 2(f) and ~~2(f) to receive it.g):~~

(a)- The disclosing party shall provide to such person a copy of this Protective Order and obtain from such person an executed copy of the Confidentiality Agreement annexed hereto as Exhibit A. Where the person to whom the Subpoenaed Information is disclosed pursuant to this paragraph 3 is not fluent in English, the disclosing party shall provide to such person an Arabic translation of this Protective Order and of the Confidentiality Agreement as set forth in Exhibits B and C, respectively.

~~(b) — Copies of the executed Confidentiality Agreements (whether in English or Arabic) shall be provided to U.S. Counsel for both parties within three (3) days of execution, except that copies of Confidentiality Agreements executed by experts shall be provided upon disclosure of the expert's identity to opposing Lebanon Counsel. When presented with evidence of unauthorized disclosure of the Subpoenaed Information, the disclosing party shall promptly provide copies of all executed Confidentiality Agreements executed by undisclosed experts to U.S. Counsel for the opposing party.~~

~~4. Prior to filing any Subpoenaed Information with the Lebanon Courts, Lebanon Counsel for the parties shall use their best efforts to obtain an order from the Lebanon Courts to file the Subpoenaed Information in a manner that prevents them from being publicly accessible by anyone other than the court and its clerical personnel.~~

~~5.~~ All persons to whom the Subpoenaed Information is disclosed under paragraphs 2(a), 2(b), 2(c), 2(e), 2(f) and 2(~~fg~~) are obligated to maintain the Subpoenaed Information in a secure ~~environment~~manner to prevent access to the Subpoenaed Information by unauthorized persons.

~~6.~~5. Within ~~ten (10)~~thirty (30) days of the final conclusion of the Lebanon ~~Proceeding, including appeals~~Proceedings and Lebanon Related Proceedings, all copies of the Subpoenaed Information shall be destroyed by Petitioner, Bank Audi, ~~and by all other persons who received Subpoenaed Information subject to compliance with paragraph 3 of this Protective Order. The parties~~U.S. Counsel, and Lebanon Counsel, who shall provide certificates confirming such destruction to U.S. Counsel ~~and to the Subpoenaed Banks within three (3) weeks of the final conclusion of the Lebanon Proceeding~~within the thirty (30) day time period.

~~7.~~6. This Court retains jurisdiction over this matter for all proceedings to enforce or modify the terms of this Protective Order. ~~Upon a finding that any person has knowingly disclosed any Subpoenaed Information to a person not authorized by this Protective Order to receive it, or to an authorized person for a purpose not authorized by this Protective Order, the person shall be subject to a monetary sanction.~~

~~[insert signature lines for all counsel]~~

SO ORDERED,

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: March __, 2022
New York, New York

STIPULATED AND AGREED TO BY:

March __, 2022

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Signed: